

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CASE NO. 1:22-cv-237-MOC-WCM

WILSON GUN WORKS AND DESIGN)	
LLC,)	
)	
)	
Petitioner,)	
)	
v.)	
)	
STEVE ALBRO, DIRECTOR OF)	
INDUSTRY OPERATIONS BUREAU)	
OF ALCOHOL, TOBACCO, FIREARMS)	
AND EXPLOSIVES,)	
)	
<u>Respondent.</u>)	

JOINT MOTION TO STAY RULE 26 DEADLINES AND SET BRIEFING SCHEDULE

Petitioner Wilson Gun Works and Design LLC and Respondent Stephen Albro, Director of Industry Operations Bureau of Alcohol, Tobacco, Firearms and Explosives hereby jointly move the Court to stay the Initial Attorney’s Conference and Rule 26 requirements, and further request that the Court set a briefing schedule as described below.

This case seeks judicial review of a final administrative decision. More specifically, this case involves Petitioner’s request for judicial review of the revocation of a firearms license under 18 U.S.C. § 923(f)(3). An administrative hearing concerning this matter was held on July 26, 2022, at the ATF Field Division Office in Asheville, North Carolina, and on September 27, 2022, ATF issued a Final Notice of Revocation, revoking the federal firearms license held by Petitioner. Petitioner subsequently filed this action for judicial review of the administrative action. There is an administrative record of the proceedings regarding which

Petitioner now seeks judicial review. The parties therefore agree that the usual Rule 26 requirements do not appear to be necessary in this case. Instead, Respondent plans to file a motion for summary judgment on the administrative record, to which Petitioner will file a response, and Respondent will in turn file a reply.

The Parties therefore request that the Court set the following briefing schedule for this matter: (a) Respondent shall file its summary judgment motion on or before May 12, 2023; (b) Petitioner shall file its opposition to Respondent's summary judgment motion on or before June 2, 2023; and (c) Respondent shall file its reply, if any, in support of its summary judgment motion on or before June 16, 2023.

For the foregoing reasons, the parties request that the Court stay the Initial Attorney's Conference and Rule 26 Report requirements, and set a briefing schedule on the administrative record as described above.

Respectfully submitted this 7th day of March, 2023.

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